

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed January 11, 2010 have been fully considered but they are not persuasive. On pages 6-8 applicant argues the prior art of reference fails to disclose, suggest, or teach the establishing a hierarchy for two recording devices. It is taught by Fukuoka in the following rejection the use of a system having two recording devices and choosing the recording device based on priority. Although, all of applicants points are understood and the rejection for the remaining claims (except claim 1) is maintained.
2. Claims 1-2, 4, 6-10, 12 and 14-15 are pending. Claims 3, 5, 11, 13, 16 and 17 have been previously cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-12, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable by Yurt et al (US 5,550,863) in view of Thomas (US 2002/0059621) in view of Tamai et al in further view of Fukuoka (US 6,300,976).

[claim 1]

In regard to Claim 1 Yurt et al discloses a method of digital video program reproduction within defined premises (Column 2 Lines 28-67), said method comprising the steps of:

- receiving a plurality of electronic audio-visual programs (Figure 1f shows the receiving of audio video programs through the transmission system 100 as further described in Column 3 Lines 50-58 and Column 4 Lines 37-49);
- storing said programs in a centralized memory (Figure 1f shows the storing of incoming programs in a centralized memory in Figure 1f memory 200c as further described in Column 5 Lines 19-29. Additionally, as seen in Figure 2 an additional central memory is present to allow for further distribution of materials as described in Column 6 Lines 5-18);
- providing a first program reproduction device and a second reproduction device adapted to reproduce programs for viewers/users (Figure 1f shows the various reception systems that are accessible by users. As described in Column 2 Lines 60-37 and Column 4 Lines 38-49 the receiving systems stream the data to the user wherein the receiver/set-top boxes becomes a reproduction devices of the program information being transmitted. Furthermore, it is noted that multiple reproduction devices can be present that can provide the same functions);
- networking said centralized memory and first and second program reproduction devices together (Figure 1f shows the reception system 200 and 200', transmission devices 100, storage system 200c, and the users

200a and 200b are all networked together within the system. Additionally, the additional central memory that is present in the system that is accessible through a network as further seen in Figure 2b and thereby providing networking of all components within the system);

- selecting a program as a selected program (Column 5 Lines 8-29 describes the selecting of material for playback from the A/V information that has been received into the system. Additionally, the secondary central memory also allows for selection of A/V programs, for example on-demand content, as described in Column 6 Lines 5-18); however, fails to disclose
 - distributing the ability to control reproduction of the selected program among the first and second reproduction devices so that, the selection of a viewer, said reproduction of said selected program is seamless between said reproduction devices such that the first reproduction device may live-pause the reproduction of the selected program and the second reproduction device may resume reproduction of the selected program.
 - designating as part of a hierarchy, a control ranking to each of said first and second reproduction devices, and
 - during control conflicts, allowing the reproduction device attempting to control playback having the highest control ranking, to control the reproduction of selected programs

Thomas et al teaches a system to provide media content to various receivers further comprising:

- distributing the ability to control reproduction of the selected program among the first and second reproduction devices so that, the selection of a viewer, said reproduction of said selected program is seamless between said reproduction devices such that the first reproduction device may live-pause the reproduction of the selected program and the second reproduction device may resume reproduction of the selected program (Figure 7c and Figure 8 shows the relocating of a user and the process of relocating the currently watched program. As described in paragraphs 0089-0099 the user has the ability to use various equipments/reproduction devices and establish a live pause on one reproduction device and then switch/relocate to another reproduction and resume playback of the desired content making a seamless switch between the reproduction devices).

It is taught by Thomas et al to provide a system that allows the user a relocate feature for remote storage of media and playback on a desired device (paragraphs 0006-0010). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital reproduction having a central memory, as disclosed by Yurt et al, and further incorporate the ability for the user to control reproduction of the central memory from various devices with a live pause

feature, as taught by Thomas et al, in order to allow adequate relocation techniques between multiple reproduction devices allowing user to access various shared media in a seamless and effective manner.

Tamai et al teaches a system wherein various recording mediums/array are in a system and various recording/read/write properties are associated with the mediums further comprising:

- during control conflicts, allowing the reproduction device attempting to control playback having the highest control ranking, to control the reproduction of selected programs (Column 14 Lines 15+ describes the control ranking of the recording medium wherein conflicts are resolved based on appropriate recording to the correct medium).

It is taught by Tamai et al to provide a system that has multiple recording mediums wherein control of the recording is based on priority setting to allow for appropriate recording. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital video program reproduction based on program and recording medium information, as disclosed by Yurt in view of Thomas, and further incorporate a system that designates as priority recording to the recording medium, as taught by Tamai et al, in order to allow for proper and efficient recording medium management.

Fukoda teaches using a digital image capturing device that comprises CPU 23 and I/O card 15 (Column 2 Lines 45-65) wherein the camera can select an external memory in accordance with a priority such as bandwidth and data in order to facilitate

and reduce transmission error (Column 10 lines 38-65). Thereby Fukoda teaches the limitation of designating as part of a hierarchy a control ranking to each of said first and second reproduction devices through priority. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention was made to modify the CPU of Thomas in the same fashion as disclosed by Fukoda so as to obtain an imaging apparatus comprising a control unit that can determine and select an external recording device in accordance with priority.

[claim 2]

In regard to Claim 2, Yurt et al discloses a method wherein first and second reproduction devices contemporaneously display said selected program (Column 5 Lines 30-41 describes the reproduction devices wherein the reception system distributes the program data to users with various permissions. Thereby allowing various users the ability to watch the same program at the same time from various locations).

[claim 4]

In regard to Claim 4, Yurt et al discloses a transmission and receiving method; however fails to disclose

- Designating the first reproduction device as a master device;
- Designating the second reproduction device as a slave device;

- During control conflict involving the master device and the slave device, allowing the master reproduction device to control playback of selected program.

Thomas et al teaches a system for providing relocating data to various reproduction devices further comprising:

- Designating the first reproduction device as a master device (Paragraphs 101-112 describes the ability to provide a reproduction device as the master device as administrative permissions are permitted to that equipment and thereby allowing the device to be a “master device” over the other devices present);
- Designating the second reproduction device as a slave device (Paragraphs 101-112 describes the pending users/equipment to contain permissions that are less than the administrator and thereby becoming a “slave device” to the master device due to the permissions (i.e. restrict and limit) associated with the device and the user);
- During control conflict involving the master device and the slave device, allowing the master reproduction device to control playback of selected program (Figure 11 shows the administrative account information associated with the master reproduction device. The system allows for limit and control over the data and thereby it would be obvious that playback of selected programs can be controlled due to restricting and limiting of the content as further described in paragraphs 0108-0112).

It is taught by Thomas et al to provide a system that allows the user a relocate feature for remote storage of media and playback on a desired device through controlling of the user and equipment (paragraphs 0006-0010). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital reproduction having a local central memory, as disclosed by Yurt et al, and further incorporate the ability for the system to provide a hierarchy for controlling reproduction devices/users and thereby providing a “master and slave” devices through designating the devices, as taught by Thomas et al, in order to allow adequate control of reproduction devices and program selection allowing proper access and control to users through the proper reproduction devices in a seamless and effective manner based on a hierarchy of equipment and user information.

[claim 6]

In regard to Claim 6, Yurt et al discloses a transmission and reception system with a centralized local memory; however, fails to disclose

- Viewing a selected program via a first reproduction device
- Establishing a pause point
- Pausing the playback of the selected program via said first reproduction device
- Resuming the playback of said selected program via the second reproduction device from said pause point.

Thomas et al teaches a system for providing relocating data to various reproduction devices further comprising:

- Viewing a selected program via a first reproduction device (Paragraphs 0089-0091 describes the viewing of a selected program via a receiver/reproduction device);
- Establishing a pause point (Paragraph 0091-0099 describes establishing a pause point through the receiver);
- Pausing the playback of the selected program via said first reproduction device (Paragraph 0091-0099 describe the pausing of content from a first reproduction device);
- Resuming the playback of said selected program via the second reproduction device from said pause point (Paragraphs 0089-0099 describes the relocating of the user to a second reproduction device and resuming playback from the established pause point).

It is taught by Thomas et al to provide a system that allows the user a relocate feature for remote storage of media and playback on a desired device (paragraphs 0006-0010). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital reproduction having a central memory, as disclosed by Yurt et al, and further incorporate the ability for the user to pause on one reproduction device and resume playback on a different reproduction device, as taught by Thomas et al, providing the same motivation as described in Claim 1.

[claim 7]

In regard to Claim 7, Yurt et al discloses a first and second reproduction devices that are capable of reproducing a selected program independently (Column 5 Lines 8-31 describes ability of the reproduction devices/receivers to select programs independently from each reproduction device and playback the program).

[claim 8]

In regard to Claim 8, Yurt et al discloses a system of digital video program reproduction within defined premises (Column 2 Lines 28-67), said method comprising the steps of:

- A program receiver adapted to receive a plurality of electronic audio-visual programs (Figure 1f shows the receiving of audio video programs through the transmission system 100 as further described in Column 3 Lines 50-58 and Column 4 Lines 37-49);
- A central memory adapted to store said programs (Figure 1f shows the storing of incoming programs in a centralized memory in Figure 1f memory 200c as further described in Column 5 Lines 19-29. Additionally, as seen in Figure 2 an additional central memory is present to allow for further distribution of materials as described in Column 6 Lines 5-18);
- A first program reproduction device and a second program reproduction device each adapted to reproduce programs for the viewers/users (Figure 1f shows the various reception systems that are accessible by users. As described in Column 2 Lines 60-37 and Column 4 Lines 38-49 the receiving systems stream the data to the user wherein the receiver/set-top boxes becomes a reproduction devices of the program information being

transmitted. Furthermore, it is noted that multiple reproduction devices can be present that can provide the same functions);

- A network adapted to network said central memory and said first and second program reproduction devices (Figure 1f shows the reception system 200 and 200', transmission devices 100, storage system 200c, and the users 200a and 200b are all networked together within the system. Additionally, the additional central memory that is present in the system that is accessible through a network as further seen in Figure 2b and thereby providing networking of all components within the system); however, fails to disclose

- Wherein the ability to control live-pause reproduction of a selected program among the first and second reproduction devices is distributed so that, at the selection of a viewer, said live pause reproduction of a selected program is seamless between said first and second reproduction devices

Thomas et al teaches a system to provide media content to various receiver further comprising:

- Wherein the ability to control live-pause reproduction of a selected program among the first and second reproduction devices is distributed so that, at the selection of a viewer, said live pause reproduction of a selected program is seamless between said first and second reproduction devices (Figure 7c and Figure 8 shows

the relocating of a user and the process of relocating the currently watched program. As described in paragraphs 0089-0099 the user has the ability to use various equipments/reproduction devices and establish a live pause on one reproduction device and then switch/relocate to another reproduction and resume playback of the desired content making a seamless switch between the reproduction devices).

It is taught by Thomas et al to provide a system that allows the user a relocate feature for remote storage of media and playback on a desired device (paragraphs 0006-0010). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital reproduction having a central memory, as disclosed by Yurt et al, and further incorporate the ability for the user to control reproduction of the central memory from various devices with a live pause feature, as taught by Thomas et al, in order to allow adequate relocation techniques between multiple reproduction devices allowing user to access various shared media in a seamless and effective manner.

[claim 9]

In regard to Claim 9, Yurt et al discloses a system wherein said central memory is part of a server (Figure 1f shows a central memory and also shows an additional central memory in Figure 2. As described in Column 11 Lines 18-36 a central memory has the ability to reside either on multiple database servers, in catalogs, or on other computer systems. Thereby the central memory shown in Figure 1f although does not explicitly

disclose that it is located on a server it is understood that the central memory can reside on a server as seen with the additional central memory in Figure 2).

[claim 10]

In regard to Claim 10, Yurt et al discloses a system wherein first and second reproduction devices contemporaneously display said selected program (Column 5 Lines 30-41 describes the reproduction devices wherein the reception system distributes the program data to users with various permissions. Thereby allowing various users the ability to watch the same program at the same time from various locations).

[claim 12]

In regard to Claim 12, Yurt et al discloses a system having first and second reproduction devices; however fails to disclose

- Designating the first reproduction device as a master device;
- Designating the second reproduction device as a slave device;
- During control conflict involving the master device and the slave device, allowing the master reproduction device to control playback of selected program.

Thomas et al teaches a system for providing relocating data to various reproduction devices further comprising:

- Designating the first reproduction device as a master device (Paragraphs 101-112 describes the ability to provide a reproduction device as the master device as administrative permissions are permitted to that equipment and

- thereby allowing the device to be a “master device” over the other devices present);
- Designating the second reproduction device as a slave device (Paragraphs 101-112 describes the pending users/equipment to contain permissions that are less than the administrator and thereby becoming a “slave device” to the master device due to the permissions (i.e. restrict and limit) associated with the device and the user);
 - During control conflict involving the master device and the slave device, allowing the master reproduction device to control playback of selected program (Figure 11 shows the administrative account information associated with the master reproduction device. The system allows for limit and control over the data and thereby it would be obvious that playback of selected programs can be controlled due to restricting and limiting of the content as further described in paragraphs 0108-0112).

It is taught by Thomas et al to provide a system that allows the user a relocate feature for remote storage of media and playback on a desired device through controlling of the user and equipment (paragraphs 0006-0010). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital reproduction having a local central memory, as disclosed by Yurt et al, and further incorporate the ability for the system to provide a hierarchy for controlling reproduction devices/users and thereby providing a “master and slave” devices through designating the devices, as taught by Thomas et al, in order to allow adequate control of

reproduction devices and program selection allowing proper access and control to users through the proper reproduction devices in a seamless and effective manner based on a hierarchy of equipment and user information.

[claim 14]

In regard to Claim 14, Yurt et al discloses a transmission and reception system with a centralized local memory; however, fails to disclose

- Viewing a selected program via a first reproduction device
- Establishing a pause point
- Pausing the playback of the selected program via said first reproduction device
- Resuming the playback of said selected program via the second reproduction device from said pause point.

Thomas et al teaches a system for providing relocating data to various reproduction devices further comprising:

- Viewing a selected program via a first reproduction device (Paragraphs 0089-0091 describes the viewing of a selected program via a receiver/reproduction device);
- Establishing a pause point (Paragraph 0091-0099 describes establishing a pause point through the receiver);

- Pausing the playback of the selected program via said first reproduction device (Paragraph 0091-0099 describe the pausing of content from a first reproduction device);
- Resuming the playback of said selected program via the second reproduction device from said pause point (Paragraphs 0089-0099 describes the relocating of the user to a second reproduction device and resuming playback from the established pause point).

It is taught by Thomas et al to provide a system that allows the user a relocate feature for remote storage of media and playback on a desired device (paragraphs 0006-0010). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the method of digital reproduction having a central memory, as disclosed by Yurt et al, and further incorporate the ability for the user to pause on one reproduction device and resume playback on a different reproduction device, as taught by Thomas et al, providing the same motivation as described in Claim 1.

[claim 15]

In regard to Claim 15, Yurt et al discloses a first and second reproduction devices that are capable of reproducing a selected program independently (Column 5 Lines 8-31 describes ability of the reproduction devices/receivers to select programs independently from each reproduction device and playback the program).

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE JO ATALA whose telephone number is (571)272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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